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WILL THE "THREE STRIKES"  
OF (1) ESCALATING PRISON  
COSTS, (2) AN INFLEXIBLE  
STATE BUDGET, AND (3)  
FROZEN STATE REVENUES  
STRIKE DOWN  
YOUR CHILDREN'S  
COLLEGE CHANCES?



CALIFORNIA  
POSTSECONDARY  
EDUCATION  
COMMISSION

# Summary

In this statement, Warren Halsey Fox -- the executive director of the California Postsecondary Education Commission -- explains why recent State legislation on "Three Strikes and You're Out" will have a particularly detrimental impact on student access to California's colleges and universities

He says, "Clearly, the State must combat crime. But the State should not finance its war on crime by slashing its support for students." He offers several suggestions for ensuring funds for both prisons and education, but he warns, "unless we undertake the difficult task of reforming the State's financing and budgeting processes, and thereby pay for prisons without short-changing students, 'Three Strikes and You're Out' will forfeit our children's future and that of the State of California."

Dr. Fox presented this statement as part of his report as executive director to the Commission at its meeting of April 18, 1994. Additional copies of the statement may be obtained from the Commission at Suite 500, 1303 J Street, Sacramento, California 95814-2938, telephone (916) 445-7933.

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COMMISSION REPORT 94-7  
PUBLISHED APRIL 1994



## WILL THE "THREE STRIKES" OF (1) ESCALATING PRISON COSTS, (2) AN INFLEXIBLE STATE BUDGET, AND (3) FROZEN STATE REVENUES STRIKE DOWN YOUR CHILDREN'S COLLEGE CHANCES?

A Message to Every Californian from Warren Halsey Fox,  
Executive Director, California Postsecondary Education Commission

**C**ALIFORNIA'S system of higher education is the largest in the nation, serving over 2 million students. Its array of colleges and universities -- both public and independent -- has long provided Californians with access to a quality college education. Today, that system is in serious jeopardy.

Part of the reason is the State's continuing fiscal crisis -- now in its fifth year -- that has been eroding the State's support for its colleges and universities. The other part is the State's limited financial capacity to fund Assembly Bill 971 -- the Legislature's first response to the "Three Strikes and You're Out" crime initiative.

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Clearly, the State must combat crime. But the State should not finance its war on crime by slashing its support for students.

Over the past decade, public higher education in California has increased its budget by almost 38 percent -- in large part because of increased student fees and property taxes. But the State Department of Corrections' budget has grown by 172 percent -- from \$1 billion to \$3.7 billion; the highest growth rate of any State program. Today, over 134,000 offenders are inmates of State prisons -- triple the number a decade ago. Over 40 percent have committed violent felonies. More than two-thirds are between 20 and 34 years old -- the age group typically served by colleges and universities.

**What is  
the likely  
impact  
of "Three  
Strikes and  
You're Out"?**

"Three Strikes and You're Out" and other legislative and statewide initiatives that aim to lengthen prison sentences will result in further major increases in the State's prison population and significantly higher long-term costs to the State. Under the new law, the prison population is likely to be three times as large a decade from now as it is today: some 409,000 inmates. The costs of housing these prisoners will rise to \$5.7 billion or more each year, and over the next 20 years, new prison construction is likely to total \$21.4 billion.

**“The immediate impact of these higher costs will be to reduce funding in three areas of the State budget -- higher education, general government, and debt service. The reason these programs will be hardest hit is that they are the only parts of the State budget other than corrections that are not fiscally protected by statutory formulas**

The immediate impact of these higher costs, coupled with other mandatory expenditures, will be to reduce funding in three areas of the State budget -- higher education, general government, and debt service. The reason these programs will be hardest hit is that they are the only parts of the State budget other than corrections that are not protected by legally mandated funding -- either through the State's Constitution, federal requirements for health and social services, or such State laws as Proposition 98, which guarantees a minimum level of State funding for public schools and community colleges

In other words, “Three Strikes and You're Out” won't affect most State programs because they are protected by funding formulas. Instead, it will hit higher education, general government, and debt service because, like corrections, they depend on the budget process rather than legally mandated formulas for determining their funding levels

The cost of incarcerating a felon is approximately \$22,300 a year -- more than the State's General Fund cost of educating two students at the University of California, three students at the California State University, or seven students at the California Community Colleges. As a result, if new sources of State revenue are not tapped to fund the incarceration of thousands of additional felons, many thousands of students will be denied access to higher education -- and “Three Strikes and You're Out” will mean “You're Out of a College or University Education.”

**The need for more -- not less -- college opportunity**

By the year 2000, California's high school graduating class will be some 43 percent larger than it was in 1990. We know this for a fact because the graduates of the year 2000 are already in the seventh grade. And by the year 2005, some 700,000 *more* students are likely to be seeking admission to California's universities than did so in 1990. We owe this new generation of students the same level of support that we enjoyed in the past. In the absence of sufficient funding, the State will lack the highly educated workforce needed to meet the demands of business and industry, government and the service sector, and society at large. Even with increased efficiency by our colleges and universities, California will need to expand its existing campuses and build new campuses at a cost of \$514 million per year for the next 15 years to accommodate this growth.

**A common agenda**

For these reasons, I urge all Californians to support the work of the new California Constitution Revision Commission as it proposes reforms in the

"I agree that felons who pose the most serious threat to society clearly must be incarcerated. But unless we undertake the difficult task of reforming the State's financing and budgeting processes, and thereby pay for prisons without short-changing students, 'Three Strikes and You're Out' will forfeit our children's future and that of the State of California."

State's financing and budgeting processes. Only through such reforms will California be able to support all of its needed services adequately -- including corrections, health and human services, and education.

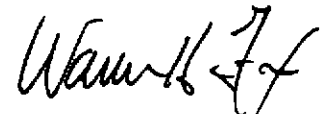
Within that framework, my colleagues and I on the California Education Roundtable are committed to drafting a long-term financing plan for higher education for consideration and possible adoption by the Governor and the Legislature. That plan must address the ways in which California can support the short- and long-term fiscal needs of postsecondary education, including funding the school-to-work transition for those young people who choose to enter a skilled occupation immediately after high school.

I also urge every Californian to support community-based educational and social service programs that prepare our youth for constructive leisure and work rather than destructive and illegal activity. We must assure healthier families and more livable neighborhoods if we are to have safer communities.

Finally, I ask that everyone encourage the Governor and the Legislature to make the State's penal system not only more self-sufficient but more rehabilitative for first-time prisoners who show promise of avoiding further felonies and incarceration. In his inaugural address, Governor Wilson voiced the need to make government work better for citizens by avoiding "the waste of precious time, precious dollars, and precious lives" and by finding "a way to at least begin to move to a mode of anticipation and prevention." All of us, in and out of government, can join in that effort.

#### Summary

In brief, I agree that felons who pose the most serious threat to society clearly must be incarcerated, and I believe that California is wealthy enough to be able to invest in both prisons and education. But unless we undertake the difficult task of reforming the State's financing and budgeting processes, and thereby pay for prisons without short-changing students, "Three Strikes and You're Out" will forfeit our children's future and that of the State of California.



Warren Halsey Fox  
Sacramento, California  
April 12, 1994

# CALIFORNIA POSTSECONDARY EDUCATION COMMISSION

THE California Postsecondary Education Commission is a citizen board established in 1974 by the Legislature and Governor to coordinate the efforts of California's colleges and universities and to provide independent, non-partisan policy analysis and recommendations to the Governor and Legislature.

## Members of the Commission

The Commission consists of 17 members. Nine represent the general public, with three each appointed for six-year terms by the Governor, the Senate Rules Committee, and the Speaker of the Assembly. Six others represent the major segments of postsecondary education in California. Two student members are appointed by the Governor.

As of June 1995, the Commissioners representing the general public are:

Henry Der, San Francisco; *Chair*  
Guillermo Rodriguez, Jr., San Francisco; *Vice Chair*  
Elaine Alquist, Santa Clara  
Mim Andelson, Los Angeles  
C. Thomas Dean, Long Beach  
Jeffrey I. Marston, San Diego  
Melinda G. Wilson, Torrance  
Linda J. Wong, Los Angeles  
Ellen F. Wright, Saratoga

Representatives of the segments are:

Roy T. Brophy, Fair Oaks; appointed by the Regents of the University of California,  
Yvonne W. Larsen, San Diego; appointed by the California State Board of Education,  
Alice Petrossian, Glendale; appointed by the Board of Governors of the California Community Colleges;  
Ted J. Saenger, San Francisco, appointed by the Trustees of the California State University,  
Kyhl Smeby, Pasadena; appointed by the Governor to represent California's independent colleges and universities, and  
Frank R. Martinez, San Luis Obispo, appointed by the Council for Private Postsecondary and Vocational Education.

The two student representatives are:

Stephen Leshner, Meadow Vista  
Beverly A. Sandeen, Costa Mesa

## Functions of the Commission

The Commission is charged by the Legislature and Governor to "assure the effective utilization of public postsecondary education resources, thereby eliminating waste and unnecessary duplication, and to promote diversity, innovation, and responsiveness to student and societal needs."

To this end, the Commission conducts independent reviews of matters affecting the 2,600 institutions of postsecondary education in California, including community colleges, four-year colleges, universities, and professional and occupational schools.

As an advisory body to the Legislature and Governor, the Commission does not govern or administer any institutions, nor does it approve, authorize, or accredit any of them. Instead, it performs its specific duties of planning, evaluation, and coordination by cooperating with other State agencies and non-governmental groups that perform those other governing, administrative, and assessment functions.

## Operation of the Commission

The Commission holds regular meetings throughout the year at which it debates and takes action on staff studies and takes positions on proposed legislation affecting education beyond the high school in California. By law, its meetings are open to the public. Requests to speak at a meeting may be made by writing the Commission in advance or by submitting a request before the start of the meeting.

The Commission's day-to-day work is carried out by its staff in Sacramento, under the guidance of its executive director, Warren Halsey Fox, Ph.D., who is appointed by the Commission.

Further information about the Commission and its publications may be obtained from the Commission offices at 1303 J Street, Suite 500, Sacramento, California 95814-2938, telephone (916) 445-7933.

# Will the "Three Strikes" of (1) Escalating Prison Costs, (2) An Inflexible State Budget, and (3) Frozen State Revenues Strike Down Your Children's College Chances?

## Commission Report 94-7



ONE of a series of reports published by the California Postsecondary Education Commission as part of its planning and coordinating responsibilities. Single copies may be obtained without charge from the Commission at 1303 J Street, Suite 500, Sacramento, California 95814-2938. Recent reports include

- 93-18 *Appropriations in the 1993-94 State Budget for Higher Education: A Staff Report to the California Postsecondary Education Commission* (September 1993)
- 93-19 *Commission Activities and Concerns of the Past Decade: A Retrospective of Issues Confronting California Higher Education Between 1983 and 1993* (September 1993)
- 93-20 *Library and Information Services Education in California: A Report to the Intersegmental Program Review Council from the Staff of the California Postsecondary Education Commission* (October 1993)
- 93-21 *Who Will Take Responsibility for the Future of California Higher Education? A Statement by Clark Kerr to the California Postsecondary Education Commission, October 25, 1993* (October 1993)
- 93-22 *Creating a Campus for the Twenty-First Century • The California State University and Fort Ord* (October 1993)
- 93-23 *Restabilizing Higher Education: Moderating the Impact on California's College Students and the State's Future from Cutting State Support for Higher Education by \$1.4 Billion Over the Past Three Years: Report of the Executive Director of the California Postsecondary Education Commission, December 1993* (December 1993)
- 93-24 *The State of the State's Educational Enterprise: An Overview of California's Diverse Student Population* (December 1993)
- 94-1 *Legislative and State Budget Priorities of the Commission, 1994: A Report of the California Postsecondary Education Commission* (January 1994)
- 94-2 *Good Works: The Impact of the Human Corps on California's Public Universities: An Evaluation for the Legislature of the Effects of Assembly Bill 1820 (Chapter 1245, Statutes of 1987)* (April 1994)
- 94-3 *A Western Compact: A Report on California's Continued Membership in the Western Interstate Commission for Higher Education (WICHE)* (April 1994)
- 94-4 *Faculty Salaries in California's Public Universities, 1994-95: A Report to the Legislature and the Governor in Response to Senate Concurrent Resolution No. 51 (1965)* (April 1994)
- 94-5 *Progress on Regional Academic Planning: A Staff Report to the Commission in Response to the First in a Series of Joint Reports on Regional Academic Planning by California's Public Systems of Higher Education* (April 1994)
- 94-6 *Progress on College and University Assessments of Campus Climate: A Staff Report to the California Postsecondary Education Commission* (April 1994)
- 94-7 *Will the "Three Strikes" of (1) Escalating Prison Costs, (2) An Inflexible State Budget, and (3) Frozen State Revenues Strike Down Your Children's College Chances? A Message to Every Californian from Warren Halsey Fox, Executive Director, California Postsecondary Education Commission* (April 1994)